

JAP:JSR

M12-0241

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

ABDELGHANI BOUSMAH,

Defendant.

- - - - - X

EASTERN DISTRICT OF NEW YORK, SS:

LAURA SPENCE, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

Upon information and belief, on or about and between October 8, 2011 and the present, within the Eastern District of New York and elsewhere, the defendant ABDELGHANI BOUSMAH did knowingly and intentionally remove two children from the United States and did retain those children outside of the United States, with the intent to obstruct the lawful exercise of parental rights of another.

(Title 18, United States Code, Section 1204(a))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed for approximately two years. The information set forth herein is based on an investigation conducted by myself and other special agents of the FBI, as well as the review of records and other evidence as set forth more fully below.

2. During the course of my investigation, FBI agents interviewed Elena Bousmah, an American citizen. Based upon the interview of Ms. Bousmah and the review of certain documents, I have learned that she is the mother of two children named Tasneem Bousmah and Asiyah Bousmah.

3. Based on my review of United States Department of State records, I have learned that both children are United States citizens and are currently 6 years old and 2 years of age, respectively.

4. Ms. Bousmah has advised FBI agents that she and the defendant ABDELGHANI BOUSMAH met and were married in New York in March 2004. In the summer of 2011, the couple separated. Ms. Bousmah and the defendant were granted joint custody of the

¹ Because this affidavit is submitted only to illustrate that probable cause exists to believe that the defendant committed certain crimes, all the facts known to me as a result of my investigation have not been included.

children.


5. I have reviewed a certified copy of a Family Court, Kings County, New York order dated March 29, 2010. Pursuant to that order, the defendant and Ms. Bousmah were granted joint custody of the children, with Ms. Bousmah being granted physical custody of the children and the defendant ABDELGHANI BOUSMAH being granted visitation rights with certain limitations.

6. Since January 17, 2010, the defendant ABDELGHANI BOUSMAH has been allowed unsupervised visitation with the children.

7. On October 8, 2011, the defendant ABDELGHANI BOUSMAH picked up the two children at Ms. Bousmah's residence for a scheduled visit. As required by the terms of the visitation order, the defendant was to return the children at 6:00 pm, the next day. At 7:00 pm, the defendant had not returned the children. Subsequently, Ms. Bousmah called 911 and reported that the defendant had not returned with the children.

8. According to ICE, on October 8, 2011 at approximately 6:45 pm, ABDELGHANI BOUSMAH, Tasneem Bousmah and Asiyah Bousmah boarded Royal Air Maroc flight #201 from John F. Kennedy International airport to Casablanca, Morocco.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant ABDELGHANI BOUSMAH so that he may be dealt with according to law.

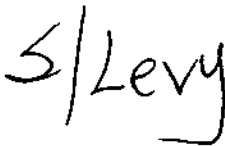


LAURA SPENCE
Special Agent
Federal Bureau of Investigation

Sworn to me this
8th day of March, 2012



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